



FOLEY & LARDNER LLP
ATTORNEYS AT LAW
1530 PAGE MILL ROAD
PALO ALTO, CA 94304-1125
TELEPHONE: 650.856.3700
FACSIMILE: 650.856.3710
WWW.FOLEY.COM

RECEIVED
CENTRAL FAX CENTER
SEP 29 2005

FACSIMILE TRANSMISSION

Total # of Pages 5 (including this page)

TO:	PHONE #:	FAX #:
Commissioner for Patents		571-273-8300

From : Antoinette F. Konski
Email Address : akonski@foley.com
Sender's Direct Dial : 650-251-1129
Date : September 29, 2005
Client/Matter No : 060919-0801
User ID No : 09417

MESSAGE:

Re: U.S. Patent Application No. 10/681,418

Please find enclosed:

1. Notice of Appeal with Petition for Extension of Time from the Examiner to the Board of Patent Appeals and Interferences (2 page) (in duplicate).

RECEIVED
OIP/EIAP
SEP 30 2005

If there are any problems with this transmission or if you have not received all of the pages, please call 650.856.3700.

Operator:	Time Sent:	Return Original To: Mary R. "Bobbie" Zimmerman
-----------	------------	---

CONFIDENTIALITY NOTICE: THE INFORMATION CONTAINED IN THIS FACSIMILE MESSAGE IS INTENDED ONLY FOR THE PERSONAL AND CONFIDENTIAL USE OF THE DESIGNATED RECIPIENTS NAMED ABOVE. THIS MESSAGE MAY BE AN ATTORNEY-CLIENT COMMUNICATION, AND AS SUCH IS PRIVILEGED AND CONFIDENTIAL. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR ANY AGENT RESPONSIBLE FOR DELIVERING IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT YOU HAVE RECEIVED THIS DOCUMENT IN ERROR, AND THAT ANY REVIEW, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

Cover Page 1 of 1

FOLEY & LARDNER LLP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: H. Michael SHEPARD

Title: ENZYME CATALYZED
THERAPEUTIC
COMPOUNDS

Appl. No.: 10/681,418

Filing Date: October 7, 2003

Examiner: Lawrence E. Crane

Art Unit: 1623

Confirmation
No. 7416

CERTIFICATE OF FACSIMILE TRANSMISSION I hereby certify that this paper is being facsimile transmitted to the United States Patent and Trademark Office, Alexandria, Virginia on the date below. Mary R. Zimmerman (Printed Name) <i>M. Zimmerman</i> (Signature) September 28, 2005 (Date of Deposit)

RECEIVED
CENTRAL FAX CENTER
SEP 29 2005

NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD
OF PATENT APPEALS AND INTERFERENCES

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from
the decision of the Examiner in the Final Office Action dated March 30, 2005, finally
rejecting Claims 53-61 and 63-93.

☒ Applicant claims small entity status.

☒ Applicant hereby petitions for an extension of time under 37 C.F.R. §1.136(a) for
the total number of months checked below:

☒ Notice of Appeal Fee

☒ To be paid as detailed below

☐ Not required (Fee paid in prior appeal)

-1-

09/30/2005 LWONDIM1 00000014 500872 10681418

01 FC:2400 250.00 DA

SVCA_20142.1

09/30/2005 LWONDIM1 00000014 500872 10681418

02 FC:2253 510.00 DA

The required fees are calculated below:

<input checked="" type="checkbox"/>	Notice of Appeal Fee	\$500.00
<input checked="" type="checkbox"/>	Extension for response filed within the third month:	\$1,020.00
<input type="checkbox"/>	Extension:	\$0.00
	FEE TOTAL:	\$1,520.00
<input checked="" type="checkbox"/>	Small Entity Fees Apply (subtract 1/2 of above):	\$760.00
	TOTAL FEE:	\$760.00

- ☒ Please charge Deposit Account No. 50-0872 in the amount of \$760.00. A duplicate copy of this transmittal is enclosed.
- ☐ A check in the amount of \$760.00 is enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 50-0872. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 50-0872.

Please direct all correspondence to the undersigned attorney or agent at the address indicated below.

Respectfully submitted,

Date September 29, 2005

By Antoinette F. Konski

FOLEY & LARDNER LLP
 Customer Number: 38706
 Telephone: (650) 251-1129
 Facsimile: (650) 856-3710

Antoinette F. Konski
 Attorney for Applicant
 Registration No. 34,202